

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION
CRIMINAL MINUTES – SENTENCING HEARING**

****CONTAINS SEALED PROCEEDINGS****

Case No.: 1:19CR47

Date: 9/10/20

**Defendant: Ashley Firestone, Bond via Video
Conference**

Counsel: Charles Kinser, Appt. via Video Conference

PRESENT: JUDGE: James P. Jones via Video Conference

**TIME IN COURT: 1:28 – 1:45 p.m.
1:46 – 2:24 p.m. (SEALED Proceedings)
2:25 – 2:35 p.m.
TOTAL: 1 hour 7 minutes**

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|-----------------|---|
| Deputy Clerk: | Felicia Clark via Video Conference |
| Court Reporter: | Donna Prather, OCR via Video Conference |
| U. S. Attorney: | Suzanne Kerney-Quillen via Video Conference |
| USPO: | Jeremy Keller via Video Conference |
| Case Agent: | Chris Mueller via Video Conference |

LIST OF WITNESSES

GOVERNMENT:
1. Chris Mueller, DEA Agent

DEFENDANT:
1.

PROCEEDINGS:

- ☒ Court inquires as to Objection(s) to Presentence Report made by Government in re: DE 312 (Safety Valve Issue). Government presented evidence and questioned witness. Oral argument by counsel. Court finds that the defendant is not subject to the Safety Valve. Court noted reasons on the record at the time of sentencing.
- ☒ No evidence presented. Oral argument by counsel as to the appropriate sentence to be imposed.
- ☒ Court adopts Presentence Report with changes as noted on the record at the time of sentencing.

SENTENCE IMPOSED AS FOLLOWS:

**CBOP: 60 months
SR: 4 years - comply w/Standard, Mandatory & Special Conditions.
SA: \$100.00 due immediately.
FINE: Waived
REST: N/A**

- ☒ Court recommends as follows:

That the defendant receive appropriate mental health treatment while imprisoned.

That the defendant receive appropriate drug treatment while imprisoned.

That the defendant receive residential substance abuse treatment (RDAP) pursuant to the provisions of 18 U.S.C. § 3621(b).

SPECIAL CONDITIONS OF SUPERVISION (Check applicable conditions):

- (1) Must pay any monetary penalty that is imposed by this judgment in the manner directed by the court;
- (2) Must reside in a residence free of firearms, ammunition, destructive devices, and dangerous weapons;
- (3) Following release from imprisonment, the court will evaluate defendant's status and determine whether, after incarceration, drug rehabilitation is necessary and appropriate. If additional rehabilitation is deemed appropriate, the defendant must participate in a program as designated by the court, upon consultation with the probation officer, until such time as the defendant has satisfied all the requirements of the program; and
- (4) Must submit his or her person, property, house, residence, vehicle, papers, [computers as defined in 18 U.S.C. Section 1030(e)(1), other electronic communications or data storage devices or media], or office, to a search conducted by a United States probation officer. Failure to submit to a search may be grounds for revocation of release. The defendant shall warn any other occupants that the premises may be subject to searches pursuant to this condition. An officer may conduct a search pursuant to this condition only when reasonable suspicion exists that the defendant has violated a condition of his or her supervision and that the areas to be searched contain evidence of this violation.

PAYMENT SCHEDULE:

- ☒ A lump sum payment of \$100.00 is due immediately.

ADDITIONAL RULINGS:

- ☒ Count 2 dismissed on Government Motion pursuant to plea agreement
- ☒ Defendant advised of right to appeal.
- ☒ Defendant to remain on bond and self report:
- ☒ to the institution designated by the Bureau of Prisons as directed by the U. S. Marshal.

*Defendant to remain on current conditions of bond pending designation to the BOP facility.